

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT**

**IN THE MATTER OF:**

RUTH PERRY,

Debtor.

1441 Somerset

Grosse Pointe Park, MI 48230

XXX-XX-0683

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Case No. 18-51586-MAR

Honorable MARK A. RANDON

Chapter 13

**ORDER RESOLVING WAYNE COUNTY TREASURER MOTION TO  
VACATE THE AUTOMATIC STAY**

**THIS MATTER HAVING COME** before the Court upon the Stipulation of the parties; and the Court having found that the Wayne County Treasurer has a validly perfected security interest in the property located at 1139-1441 Somerset, Grosse Pointe Park, Michigan (“the Property”) pursuant to state law and a claim for unpaid post-petition real property taxes for the year of 2019 in the approximate amount of \$3,271.52 plus interest accruing at the statutory rate (“Taxes”); and the Debtor agreeing to make direct payments to the Treasurer in the amount of \$500.00 per month beginning on February 25, 2021, and continuing on the 25th day of each month thereafter until the Taxes on the Property are paid in full; and the Court being fully advised in the premises:

**IT IS HEREBY ORDERED** that Debtor shall make direct payments to the Treasurer in the amount of \$500.00 dollars per month beginning on February 25, 2021 and continuing on the 25th day of the month thereafter until the Taxes on the Property are paid in full;

**IT IS FURTHER ORDERED** that any payment arrangements made directly with the Treasurer during the course of this bankruptcy proceeding will not survive a conversion to Chapter 7 or Chapter 11 bankruptcy, or a discharge or dismissal of this bankruptcy proceeding;

**IT IS FURTHER ORDERED** that any outstanding taxes on the Property remaining due and owing at the conclusion of the case, are not subject to any discharge granted by the Court;

**IT IS FURTHER ORDERED** that the Debtor shall, within 60 days, remit to the Treasurer \$188.00 to reimburse the Treasurer for the cost of having to file the Motion for Relief from the Automatic Stay;

**IT IS FURTHER ORDERED** that the Treasurer will retain its lien on the Properties until its claims are paid in full;

**IT IS FURTHER ORDERED** that all future (2020 or thereafter) post-petition taxes shall be paid timely;

**IT IS FURTHER ORDERED** that if the Debtor fails to timely remit any payments to the Treasurer as provided for herein or if any future (2020 or thereafter)

post-petition taxes become due to the Treasurer regarding the Properties, the Treasurer shall serve the Debtor with a Notice of Event of Default by serving the same upon the Debtor and Debtor's counsel, and if payment sufficient to cure the default is not received by the Treasurer within 21 days, the Treasurer shall be granted relief from the automatic stay upon the filing of an Affidavit of Default without further notice or proceeding before this Honorable Court. The Debtor is limited to default and cure only two (2) times over the life of the Plan, upon a third default the Treasurer shall be granted relief from the automatic stay upon the filing of an Affidavit of Default without the opportunity to cure and without further notice or proceeding before this Honorable Court.

**Signed on January 27, 2021**



**/s/ Mark A. Randon**

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**Mark A. Randon**  
**United States Bankruptcy Judge**